



IFW

Docket No.: 2224-0255PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mitsuteru MUTSUDA et al.

International Application No.: PCT/JP2004/014359

Application No.: 10/574,265

Art Unit: N/A

Filed: March 31, 2006

Examiner: Not Yet Assigned

For: MOLDED COMPOSITE ARTICLE, PROCESS
FOR PRODUCING THE SAME, AND A
JOINABLE RESIN

LETTER

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith the English translation of the international preliminary report on patentability (Chapter I) in connection with the above-identified application.

Dated: SEP - 1 2006

Respectfully submitted,

By Gerald M. Murphy, Jr. #48,501
for Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

KUWATA, Mitsuo
KUWATA & CO., 6th Floor, Minato Umeda Building
3-17, Nishitemma 6-chome
Kita-ku, Osaka-shi, Osaka 5300047
JAPON

Received

JUL 14 2006

KUWATA & CO.

Date of mailing (day/month/year) 06 July 2006 (06.07.2006)	
Applicant's or agent's file reference FP-04025PC	IMPORTANT NOTIFICATION
International application No. PCT/JP2004/014359	International filing date (day/month/year) 30 September 2004 (30.09.2004)
Applicant DAICEL-DEGUSSA LTD. et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Masashi Honda
Facsimile No. +41 22 338 82 70	Facsimile No. +41 22 338 82 70

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference FP-04025PC	FOR FURTHER ACTION		See item 4 below
International application No. PCT/JP2004/014359	International filing date (<i>day/month/year</i>) 30 September 2004 (30.09.2004)	Priority date (<i>day/month/year</i>) 03 October 2003 (03.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant DAICEL-DEGUSSA LTD.			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report 26 June 2006 (26.06.2006)	
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Authorized officer Masashi Honda e-mail: pt08@wipo.int

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:		
Applicant's or agent's file reference FP-04025PC		Date of mailing (day/month/year)
International application No. PCT/JP2004/014359		International filing date (day/month/year) 30.09.2004
Priority date (day/month/year) 03.10.2003		FOR FURTHER ACTION See paragraph 2 below
International Patent Classification (IPC) or both national classification and IPC		
Applicant DAICEL-DEGUSSA LTD.		

<p>1. This opinion contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 5%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td>Basis of the opinion</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
<p>2. FURTHER ACTION</p> <p>If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.</p> <p>If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.</p> <p>For further options, see Form PCT/ISA/220.</p>																									
<p>3. For further details, see notes to Form PCT/ISA/220.</p>																									

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/014359

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/014359

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	3-7, 9-11, 13, 17-18	YES
	Claims	1-2, 8, 12, 14-16, 19-24	NO
Inventive step (IS)	Claims	3-7, 9-11, 13, 17-18	YES
	Claims	1-2, 8, 12, 14-16, 19-24	NO
Industrial applicability (IA)	Claims	1-24	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP, 8-505333, A (Elf Atochem S.A.), 11 June, 1996 (11.06.96)

Document 2: JP, 4-363221, A (Nifco Inc.), 16 December, 1992 (16.12.92)

The subject matters of claims 1-2, 8, 12, 14-16 and 19-24 do not appear to be novel or to involve an inventive step in view of documents 1 and 2 cited in the ISR.

Document 1 describes a two-layer article prepared by injection-molding polyether urethane by cover molding onto polyether ester amide having polyamide 12 and polytetramethylene glycol as a base.

Document 2 describes a two-layer injection-molded product prepared by dichromatic molding using as a core material a resin composition composed of polyamide and thermoplastic polyurethane and using as a skin material a resin composition composed of polyether ester amide and thermoplastic polyurethane, and describes that the blended ratio of polyamide to thermoplastic polyurethane as a core material is 5/95 to 95/5, and the blended ratio of polyether ester amide to thermoplastic polyurethane as a skin material is 10/90 to 90/10.

The polyamide and polyurethane described in documents 1 and 2 have an ether segment. The polyamide normally has an amino group at the terminal, and therefore corresponds to the "compound having an amino group" described in claim 1.

The subject matters of claims 3-7, 9-11, 13 and 17-18 appear to be novel and to involve an inventive step, since they are not described in any of the documents cited in the ISR.

Documents 1 and 2 do not describe or suggest that a non-urethane thermoplastic resin bonded to the thermoplastic polyurethane resin is composed of a polyamide component having an aliphatic ring.

Documents 1 and 2 do not describe or suggest that said non-urethane thermoplastic resin is composed of a compound having an amino group in a certain amount or more.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/014359

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 1 describes three options as requirements for the invention, namely “the non-urethane thermoplastic resin is composed of a polyamide component having an aliphatic ring”, “the non-urethane thermoplastic resin is composed of a compound having an amino group” and “the non-urethane thermoplastic resin and the thermoplastic polyurethane resin each have a polyether segment”. However, the essential compounds and their structures of these options are mutually different and are not similar. Therefore they cannot be considered as a unified concept that can be defined selectively in one invention.

According to claim 1 (paragraph (Ia)), “...composed of a compound having an amino group...a polyamide component having an aliphatic ring”, and it is considered that other components are not substantially contained in a normal sense. However, the specification describes that other components may be contained in a large amount (particularly for the compound having an amino group, about 0.01 to 20 parts by weight based on 100 parts by weight of base resin), and the constitution of the invention is unclear.